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UNCLAS SECTION 01 OF 06 COLOMBO 000894

SIPDIS

SENSITIVE

DEPARTMENT FOR SA, SA/INS, SA/RA, DRL/IRL, DRL/CRA

E.O. 12958: N/A

TAGS: [PHUM](#) [PREL](#) [KIRF](#) [KSEP](#) [CE](#)

SUBJECT: Sri Lanka: Draft International Religious Freedom Report for 2004

Refs: (A) Colombo-DRL 05-28-04 unclass email
- (B) State 82752

1. (U) This is Sensitive But Unclassified -- Please handle accordingly.

2. (U) Per Ref B, Mission submits below the draft Sri Lanka International Religious Freedom report for 2004. A Word document with tracked changes in the final 2003 version of the Sri Lanka report has been sent to the Department via email (per Ref B instructions).

3. (SBU) Draft Sri Lanka International Religious Freedom Report for 2004:

Begin Text:

The Constitution accords Buddhism the "foremost place," but it is not recognized as the state religion. The Constitution also provides for the right of members of other faiths to practice their religion freely, and the Government generally respects this right in practice.

Respect for religious freedom by the Government was generally unchanged during the period covered by this report. Due to the actions of extremists, however, there was a severe deterioration in religious freedom during the period covered by this report. In late 2003 and early 2004, Sri Lanka witnessed a serious spate of attacks on Christian churches, and sometimes pastors and congregants. Over one hundred attacks have been alleged, with several dozen confirmed by the Embassy. In response, major political and religious leaders publicly condemned the attacks and police arrested close to a dozen people in connection with the incidents. The government did not take action on a draft bill criminalizing the conversion of Hindus by "unethical" means.

Embassy officials expressed USG concerns about the incidents of church attacks in meetings with Government leaders. Embassy officials also urged the Government to arrest and prosecute the perpetrators of the attacks. The U.S. Government continues to discuss general religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights.

Section I. Religious Demography

The country has a total area of 25,322 square miles and a population of approximately 18.5 million. Buddhism, Hinduism, Islam, and Christianity all are practiced in the country. Approximately 70 percent of the population are Buddhist, 15 percent are Hindu, 8 percent are Christian, and 7 percent are Muslim. Christians tend to be concentrated in the west, with much of the north almost exclusively Hindu. The other parts of the country have a mixture of religions, with Buddhism overwhelmingly present in the south.

Most members of the majority Sinhalese community are Theravada Buddhists. Almost all Muslims are Sunnis, with a small minority of Shi'a, including members of the Borah community. Roman Catholics account for almost 90 percent of the Christians, with Anglicans and other mainstream Protestant churches also present in the cities. The Seventh-day Adventists, Jehovah's Witnesses, and the Assemblies of God are present as well. Evangelical Christian groups have increased in membership in recent years, although the overall number of members in these groups still is small.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution gives Buddhism a "foremost position," but it also provides for the right of members of other faiths to practice their religions freely, and the Government generally respects this right in practice. There are separate ministries in the Government that

address religious affairs. These include: The Ministry of Buddha Sasana, the Ministry of Muslim Religious Affairs, the Ministry of Hindu Affairs, and the Ministry of Christian Affairs. Each of these ministries has been empowered to deal with issues involving the religion in question.

In January 2003, a bill intended to curb religious conversions of Hindus was drafted and presented to the Cabinet. The draft bill was still under review by the Attorney General's office in February when President Kumaratunga dissolved Parliament and announced that parliamentary elections would take place in April. With the dissolution of Parliament, all pending legislation was cancelled, including the draft "anti-conversion" bill. As of the end of this reporting period, the draft "anti-conversion" bill had not been re-introduced in the new Parliament. There continues to be some discussion that the draft bill might be re-introduced as a private member's motion (not by the government) and then voted on later this year.

Some Christian denominations have resisted greater government involvement in their affairs; instead they are registered individually through acts of Parliament or as corporations under domestic law. Christian denominations must fill out and submit forms in order to be recognized as corporations. This gives them legal standing in Sri Lanka to be treated as corporate entities in their financial and real estate transactions. In July, the Sri Lanka Supreme Court ruled against an incorporation petition by the Teaching Sisters of the Holy Cross of the Third Order of Saint Francis. The court denied the petition, claiming that the order could not be incorporated if it was involved in proselytization and providing material benefit. At present, the religious order is preparing an appeal to the UN High Commissioner on Human Rights. There is no tax exemption for religious organizations as such. However, churches and temples are allowed to register as charitable organizations and therefore are entitled to some tax exemptions.

The Government has placed renewed emphasis on the work of national councils for interfaith understanding in the wake of the attacks on Christian churches and evangelical groups' property (see Section III).

Despite the constitutional preference for Buddhism, a number of major religious festivals of other faiths are celebrated as national holidays.

Restrictions on Religious Freedom

Foreign clergy may work in the country, but for the last three decades, the Government has taken steps to limit the number of foreign Christian religious workers given temporary work permits. Permission usually is restricted to denominations that are registered formally with the Government. Most religious workers in the country, including most Christian clergy, are Sri Lankan in origin.

During the period covered by this report, Christians, both mainstream denominations and evangelical groups, suffered from an increase in harassment and physical attacks by local Buddhist extremists who felt threatened by these groups (see Section III). Some Christian groups sometimes complain that the Government tacitly condones such harassment and violence, but there is little evidence to support this claim, although some local police officials were reportedly reluctant to take legal action against Buddhist monks involved in the attacks.

Religion is a mandatory subject in the school curriculum. Parents and children may choose whether a child studies Buddhism, Islam, Hinduism, or Christianity. Students of minority religions other than Islam, Hinduism, and Christianity must pursue religious instruction outside of the public school system. There are no separate syllabi provided for smaller religions. Religion is taught in schools from an academic point of view.

Issues related to family law, including divorce, child custody, and inheritance are adjudicated by the customary law of each ethnic or religious group. The minimum age of marriage for women is 18 years, except in the case of Muslims, who continue to follow their customary religious practices. The application of different legal practices based on membership in a religious or ethnic group may result in discrimination against women.

Abuses of Religious Freedom

Since 1983 the Government (controlled by the Sinhalese, and predominantly Buddhist, majority) has fought the Liberation Tigers of Tamil Eelam (LTTE), an insurgent organization fighting for a separate state for the country's Tamil (and predominantly Hindu) minority. However, in December 2001, the Government and the LTTE each announced unilateral cease fires and in February 2002 a joint ceasefire accord was agreed to by the parties. The peace process is fragile; in April 2003, the LTTE pulled out of talks with the Government. Religion did not play a significant role in the conflict, which essentially is rooted in linguistic, ethnic, and political differences. Buddhists, Hindus, and Christians all have been affected by the conflict, which has claimed more than 60,000 lives. The military had issued warnings through public radio before commencing major operations, instructing civilians to congregate at safe zones around churches and temples; however, in the conflict areas in the north, the Government occasionally was accused of bombing and shelling Hindu temples and Christian churches. In 2003, some Buddhist clergy were allowed to visit shrines in LTTE-controlled areas for the first time in many years. In the past 12 months, some Christians also visited holy sites in LTTE-controlled areas which had not been accessible during the period of armed conflict.

The LTTE targeted Buddhist sites, most notably the historic Dalada Maligawa or "Temple of the Tooth," the holiest Buddhist shrine in the country, in the town of Kandy in January 1998. Thirteen worshipers, including several children, were killed by the bombing. The Government still is attempting to locate and arrest the LTTE perpetrators of the attack. As a result, the Government has augmented security at a number of religious sites island-wide, including the Temple of the Tooth. In contrast to previous years, the LTTE did not target Buddhist sites during the period covered by this report; however, the LTTE has not indicated that it will abstain from attacking such targets in the future.

There were no reports of religious prisoners or detainees.

There were no reported public acts of anti-Semitism.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

Persecution by Terrorist Organizations

The LTTE has been listed as a Foreign Terrorist Organization since 1997. Muslims, Tamils, and Sinhalese have all been victimized by the LTTE, but religious persecution has not played a major role in the conflict.

In 1990, the LTTE expelled some 46,000 Muslim inhabitants-virtually the entire Muslim population-from their homes in the northern part of the island. Most of these persons remain displaced and live in or near welfare centers. Although some Muslims returned to the northern town of Jaffna in 1997, they did not remain there due to the continuing threat posed by the LTTE. There are credible reports that the LTTE has warned thousands of Muslims displaced from the Mannar area not to return to their homes until the conflict is over. It appears that the LTTE's actions against Muslims are not targeted against them due to their religious beliefs, but that they are rather a part of an overall strategy to clear the north and east of persons not sympathetic to the LTTE. The LTTE has made some conciliatory statements to the Muslim community, but the statements were viewed with skepticism by some Muslims. The LTTE continues to encourage Muslim IDPs to return home, asserting they will not be harmed. Although some Muslim IDPs have returned home, the vast majority have not and were instead waiting for a guarantee from the Government for their safety in LTTE-controlled areas. Since the peace process began in December 2001, the LTTE has also perpetrated a number of attacks in the east in which Muslims have been killed. No one has been arrested for perpetrating these attacks. The LTTE also commonly extorts money from Muslim families and businesses in the east.

The LTTE has been accused in the past of using church and temple compounds, where civilians are instructed by the Government to congregate in the event of hostilities, as shields for the storage of munitions.

Improvements and Positive Developments in Respect for

Religious Freedom

At the height of the attacks on Christian churches, Government leaders from the President to the then-Minister of Christian Affairs spoke out in public denouncing the attacks. President Kumaratunga specifically said that such attacks would not be tolerated and ordered the police to fully investigate each incident. Since the government crackdown began in late 2003, police have arrested almost a dozen people connected with the various attacks. Former Prime Minister Ranil Wickremesinghe also convened regular meetings of the four ministers dealing with religious issues as part of their portfolio and established religious "amity" committees around the island. Leading Catholic and Buddhist clergy met in May to continue the dialogue on religious tolerance.

Section III. Societal Attitudes

Discrimination based on religious differences is much less common than discrimination based on ethnicity. In general, the members of the various faiths tend to be tolerant of each other's religious beliefs. However, Sri Lanka witnessed a severe increase in the harassment of Christians, especially evangelical groups, and attacks on their property and places of worship during the period covered by this report. The attacks were perpetrated by extremist Buddhists, who were opposed to attempts to convert Buddhists to another religion. Government officials and leaders of the different faiths all publicly condemned this spate of attacks.

The police made attempts to investigate these incidents when complaints were made, but were often reluctant to pursue suspected perpetrators who were Buddhist monks. Law enforcement officials continue to believe that a majority of the attacks were conducted by a small number of extremist Buddhists. By early 2004, several alleged attackers had been arrested, and the intensity and frequency of the attacks had declined.

The National Christian Evangelical Alliance of Sri Lanka reports that over one hundred attacks have taken place during the period covered by this report. Embassy has confirmed dozens of these attacks. Representative instances of such attacks are reviewed below:

On April 11, the Christian Fellowship Church in Wadduwa was attacked by a mob led by a Buddhist monk. Attackers threw rocks at the church and tried to beat worshippers with sticks. Police are investigating the incident. Also on April 11, the residence of the pastor of the Assembly of God church in Ampara District was firebombed. No injuries were reported in the attack and the police are investigating.

On February 24, an Apostolic church in the Boraluwewa District was attacked and the roof of the church was burnt. Seven men who were later arrested are free on bail. A court date is scheduled for July 2004.

On February 7, the Kebithigollwa office of the Christian NGO, World Vision, was fire bombed and completely burnt. The following day, the police arrested several people, including Buddhist monks, in connection with the incident. The investigation is continuing at present.

On January 26, the Our Mother Most Pure Catholic shrine in Mattegoda was damaged in an arson attack. A police investigation is ongoing.

On December 9, three separate religious-based attacks occurred in Ratnapura. The local office of the Christian NGO, World Vision, was attacked and a security guard on the premise was injured. The interior of St. Sebastian's Catholic Church and the evangelical Calvary Church also were damaged in the second and third attacks. Police do not have any suspects, but both cases remain under investigation.

On December 5, two Korean protestant ministers were harassed at their residence in Colombo. Several personal items were stolen. Police are investigating the incident.

On November 13, the staff at the Borella office of World Vision was threatened and harassed by Buddhist monks accusing the group of organizing "unethical conversions." No one was injured. A Buddhist monk and several others were arrested in connection with the incident and a police investigation is ongoing.

On September 25, there was an attack on the Assembly of God church in Kesbawa. The attack was allegedly led by an extremist Buddhist monk named Ven. Katuwella

Chandrasiri. The church was seriously damaged but no one was injured. A police investigation is ongoing.

On September 17, four women connected with the Assembly of God church in Kotadeniyawa were assaulted. The church was subsequently burnt on September 23. The police are investigating the incidents, but there have not been any arrests in the case.

On August 2, a member of the Assembly of God church in Thanamalwila was attacked and chased by Buddhist monks. A complaint was filed with the police.

On May 17, 2003, a group of laypersons associated with a local Buddhist temple visited Pastor Rozario at his home in the village of Neluwa, in the Galle District, and instructed him not to convert persons of other faiths to Christianity. Following the incident, Rozario made a complaint to police. On June 17, other persons attacked Pastor Rozario and set fire to items in his home. Three people have been charged with criminal trespass and intimidation. A court hearing is scheduled for October 2004.

On May 25, 2003, 500 Hindus broke into the Heavenly Harvest Church in Kaluvenkerni, beat church members, including children, and ransacked the building. The Hindu mob then set fire to the homes of all 25 Christian families in the village and tried to force two Christians to renounce their faith. The police who arrived on the scene were outnumbered but managed to drive the pastor to safety. The LTTE have asked Christian villagers to return and promised to look after their safety. As of the end of the period covered by this report, no arrests had been made.

On June 3, a mob of 100 Buddhists surrounded St. Stephen's Lutheran Church at midnight and destroyed a small church hall still under construction. A Christian family next door was threatened with death if they reported the incident. Local authorities made one arrest after the attack but took no other action. Villagers subsequently threatened to bomb the church if the Christians attempted to rebuild it.

In September 2002, a group of Christians vandalized a Jehovah's Witness hall in Negombo, breaking windows, destroying electrical systems, and burning equipment. Members of the congregation claimed that the police did not react to the disturbance until after the crowd dispersed. In November 2002, a Christian mob stormed the same meeting hall, assaulting Jehovah's Witnesses and again vandalizing the premises. In December 2002, an appeal was made for police action and cooperation. A police spokesman visited the site and submitted a report to the Inspector General of Police. The police investigation determined the fire was deliberately set. There are no suspects and no case has been filed.

There are reports that members of various religious groups give preference in hiring in the private sector to members of their own group or denomination. This practice does not appear to be based principally on religion. There is no indication of preference in employment in the public sector on the basis of religion.

Section IV. U.S. Government Policy

The U.S. Embassy discusses religious freedom issues with the Government in the context of its overall dialog and policy of promoting human rights. Representatives of the Embassy regularly meet with representatives of all of the country's religious groups to review a wide range of human rights, ethnic, and religious freedom issues. During the period covered by this report, Embassy representatives met with Sri Lanka government officials at the highest level to express USG concern about the attacks on Christian churches.

The U.S. is a strong supporter of the peace process launched by the Sri Lankan Government and the Embassy encourages the inter-faith efforts by religious leaders to promote a peaceful resolution of the conflict.

Prisoner Lists and Issue Briefs

There were no reports of religious detainees or prisoners.

End Text.

14. (U) Minimize considered.

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